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*Counsel for Plaintiff and Counter-Defendant
Nektar Therapeutics*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

NEKTAR THERAPEUTICS,

Plaintiff/Counter-Defendant,

v.

ELI LILLY & CO.,

Defendant/Counter-Claimant.

CASE NO. 3:23-CV-03943-JD

**STIPULATION AND ~~PROPOSED~~ ORDER
EXTENDING TIME TO FILE OMNIBUS
SEALING MOTION RELATED TO
DISPOSITIVE MOTIONS AND DAUBERT
MOTIONS**

Judge: Hon. James Donato

Pursuant to Civil Local Rule 7-12, Plaintiff Nektar Therapeutics (“Plaintiff”) and Defendant Eli Lilly and Company (“Defendant”), by and through their undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, pursuant to Paragraph 31 of this Court’s Standing Order for Civil Cases (“Paragraph 31”), on May 19, 2025, the parties submitted a Stipulation and Proposed Order Related to Sealing Procedures (“Original Stipulation”) (ECF No. 191) to consolidate all sealing motions related to the briefing into the Omnibus Sealing Motion, for efficiency and to reduce burden on the Court;

WHEREAS, on May 22, 2025, the Court entered an Order approving the Original Stipulation (ECF No. 192), and the parties filed dispositive motions and *Daubert* motions with certain content provisionally under seal consistent with the Court’s Order;

WHEREAS, under the Original Stipulation, the parties agreed to jointly file the Omnibus Sealing Motion covering all dispositive motions briefing and *Daubert* briefing by 30 days after the conclusion of briefing, which thereby set a deadline of July 28, 2025 to file the Omnibus Sealing Motion covering all briefing;

WHEREAS, during the course of the dispositive motion and *Daubert* motion briefing, the parties submitted a total of 24 briefs and 254 exhibits and attachments either in redacted form or provisionally under seal in their entirety;

WHEREAS, the parties have been diligently reviewing the 24 briefs and 254 exhibits to ensure the provisionally sealed material conforms with the Court’s Standing Order and the applicable legal standards;

WHEREAS, given the volume of briefing and exhibits and the coordination required to reach agreement on a joint submission, including a motion and supporting declarations, the parties respectfully request a short extension of 21 days to finalize their submissions on sealing and to file the joint Omnibus Sealing Motion;

WHEREAS, the 21 day extension to the Omnibus Sealing Motion deadline will have no impact on other case deadlines or the Court’s Scheduling Order;

NOW THEREFORE, the parties hereby stipulate and agree, subject to the Court’s approval, as follows:

- 1 1. The parties shall jointly file one Omnibus Sealing Motion covering all dispositive motions
2 briefing and *Daubert* briefing, by no later than August 18, 2025.

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4 DATED: July 21, 2025

Respectfully submitted,

KIRKLAND & ELLIS LLP

5
6 *s/ Ryan Moorman*

7 Ryan Moorman

8 *Counsel for Defendant and Counter-Claimant*
9 *Eli Lilly and Company*

10 DATED: July 21, 2025

Respectfully submitted,

11 QUINN EMANUEL URQUHART & SULLIVAN, LLP

12 *s/ Jimmy Bieber*

13 Jimmy Bieber

14 *Counsel for Plaintiff and Counter-Defendant*
15 *Nektar Therapeutics*

16 **ATTESTATION PURSUANT TO CIVIL L.R. 5-1(I)(3)**

17 I, Ryan Moorman, am the ECF user whose user ID and password are being used to file this
18 document. I hereby attest that concurrence in the filing of this document has been obtained from each of
19 the other signatories.

20 */s/ Ryan Moorman*

21 Ryan Moorman

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

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3 Dated July 25, 2025

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5 JAMES DONATO
6 UNITED STATES DISTRICT COURT JUDGE
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